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BEFORE THE ARIZONA CORPORATION COMMISSION  
COMMISSIONERS

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JEFF HATCH-MILLER, Chairman  
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2005 JAN 14 P 2:08  
AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF:

RICHARD N. CORROW

Complainant,

vs.

ARIZONA WATER COMPANY,

Respondent.

DOCKET NO. W-01445A-04-0622

Arizona Corporation Commission

DOCKETED

JAN 14 2005

DOCKETED BY

*CA*

**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On August 26, 2004, Richard N. Corrow ("Complainant") filed with the Arizona Corporation Commission ("Commission") a Complaint against Arizona Water Company ("AWC" or "Respondent").

On September 20, AWC filed an Answer to the Complaint.

On September 22, 2004, by Procedural Order, a pre-hearing conference was scheduled on October 14, 2004.

On October 14, 2004, Complainant appeared on his own behalf and AWC appeared with counsel. The Commission's Utilities Division ("Staff") was present for purposes of observation and to encourage settlement of the Complaint. After discussions between the parties, it does not appear that a resolution has been reached.

On October 25, 2004, by Procedural Order, a hearing was scheduled on November 22, 2004.

On October 29, 2004, AWC filed a Motion to Continue ("Motion") the proceeding stating that the Company's principal witness would be on vacation.

On November 1, 2004, the Complainant filed a Response strongly objecting to AWC's Motion.

On November 1, 2004, by Procedural Order, AWC's Motion was denied.

1 On November 4, 2004, AWC telephonically requested that the hearing be rescheduled. AWC  
2 indicated that the parties were in agreement that the hearing be moved from November 22, 2004 to  
3 November 16, 2004. By Procedural, the proceeding was rescheduled as requested.

4 On November 16, 2004, a full public hearing was convened before a duly authorized  
5 Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. The Complainant  
6 appeared on his own behalf and the Respondent and Staff appeared with counsel. At the conclusion  
7 of the hearing, the matter was taken under advisement pending submission of a Recommended  
8 Opinion and Order to the Commission.

9 On December 2, 2004, when the Reporter's Transcript of the Proceedings ("Transcript") was  
10 filed with the Commission, a letter accompanying the Transcript indicated Exhibits C-5, C-6, C-7  
11 (Photographs marked 1, 2 and 3, respectively, were "returned to the Complainant because they were  
12 not moved for admission on the record either inadvertently or by design." Although AWC had  
13 objected to their admission and Staff took no position on their admission, evidence was taken  
14 concerning what they showed and the Complainant stated he took them on the day before the hearing.

15 Accordingly, it is determined that Exhibits C-5, C-6 and C-7 should be admitted into  
16 evidence.

17 IT IS THEREFORE ORDERED that Exhibits C-5, C-6 and C-7 shall be admitted into  
18 evidence.

19 IT IS FURTHER ORDERED that the Complainant shall forthwith return the original photos  
20 marked Exhibits C-5, C-6 and C-7 to Arizona Reporting Service, Inc. for filing with the  
21 Commission's Docket Control.

22 ...

23 ...

24 ...

25 ...

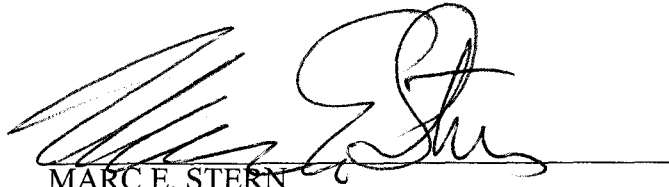
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1 IT IS FURTHER ORDERED that if Complainant fails to immediately return the  
2 aforementioned Exhibits C-5, C-6 and C-7 within 14 days of the date of this Procedural Order to  
3 Arizona Reporting Service, Inc. for their prompt filing with the Commission's Docket Control, the  
4 above Order for their admission shall be void.

5 Dated this 14<sup>th</sup> day of January, 2005

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7  
8   
9 MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

10 Copies of the foregoing mailed/delivered  
11 this 14 day of January, 2005 to:

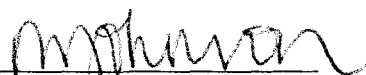
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24 By:   
25 Molly Johnson  
26 Secretary to Marc E. Stern  
27  
28